THE NEW SCHISM

DR. DOLLINGER'S DECLARATION.

The Pope Not Infallible.

The Bishop of Munich's Reply.

The following is the letter addressed by Dr. Dollinger, Dean of the Chapter of Vienna, to the Archbishop of Munich and Freising, in explanation of his position with respect to the decree of Papal infallibility: -

Your Excellency has asked me in two letters to explain my position with respect to the Roman decrees of July 18, 1870, which have

been published by you.

It has transpired in the circle of your Cathedral Chapter that it is your intention to proceed against me with such penal measures as are used only against such priests as have been guilty of gross moral crimes, and even but seldom against these. This is to occur if I do not, within a certain period, submit myself to the two new articles of faith, as to the universal (Allgewalt) power and infallibility of the Pope.

I learn at the same time that a council meeting of the German bishops is to take

place shortly at Fulda.

In the year 1848, when a meeting of all the German bishops was held at Wurzburg, the honor of an invitation was extended to myself, and I took part in the proceedings Your Excellency might perhaps arrange that I might be allowed in the meeting which is about to take place, not this time to take part in the proceedings, but to have an audience for a few hours.

For I am prepared to prove before this meeting the following theses, which are of decisive importance for the present situation of the German Church, as well as for my per-

sonal position: -First. The new Articles of Faith are based upon the texts in the Holy Scriptures, St. Matthew xvi, 18, and St. John xxi, 17, and as far as infallibility is concerned, upon the text St. Luke xxii, 32, with which the same, biblically considered, must stand or fall. But we are bound by a solemn oath, which I myself have twice sworn, to accept and to explain the Holy Scriptures not otherwise than according to the unanimous consent of the fathers. The fathers of the Church have all, without exception, explained the texts in question as bearing a totally different meaning to the new decrees, and especially in the text St. Luke xxii, 32, have found anything but an infallibility given to the Pope. Therefore, were I to accept with the decrees this explanation, without which every biblical basis to the same is wanting, I should commit a perjury. And, as I have said, I am prepared to prove this to the bishops in

Second. In several episcopal pastorals and notices which have lately appeared, the assertion has been made, or the historical proof sought, that the new doctrine now proceeding from Rome as to the universal power of the Pope over every single Christian, and as to the Papal infallibility in decisions in the Church on matters of faith from the bagin. ning, through all time and forever, has been generally, or at least nearly generally, believed and taught. I am ready to prove that this assertion is based upon an entire misconception of the traditions of the Church for the first thousand years, and upon an entire distortion of her history. It is in direct contradiction to the plainest facts and testimo-

Third. I am ready to prove that the bishops of the Latin countries, Spain, Italy, South America, France, who formed the immense majority at Rome, were, with their clergy, already led astray by the classbooks from which they took their ideas during their seminary education; since the proofs given in these books are for the most part false, invented, or distorted. I shall prove this, first, with the two principal and favorite works of modern theological schools and seminaries, "The Moral Philosophy of S. Alphonsus Liguori" (and especially as regards the treatise contained therein concerning the Pope), and with "The Theology of the Jesuit Peroni; further, with the writings of the Archbishop of Cardoni and of Bishop Ghilardi, which were distributed in Rome during the Council; and, finally, with "The Theology of the Vienesse Theologian Schwetz."

Fourth. I appeal to the fact, which I am ready to prove in public, that two General Conneils and several Popes have already decided in the fifteenth century, by solemn decrees, issued by the Councils, repeatedly confirmed by the Popes, the question as to the extent of the Pope's power, and as to his infallibility, and that the decrees of the 18th of July, 1870, are in the most glaring contradiction to these resolutions, and, therefore, cannot possibly be considered as binding.

Fifth. I believe that I shall be able to prove that the new decrees are simply incompatible with the constitutions of the States of Europe, and especially with that of Bavaria; and that I find it impossible for me, who am bound by oath to this constitution, which I have lately sworn on my admission to the Chamber of the Councillors of State, to accept the new decrees, and, as their necessary consequence, the Bulls "Unam and Sanctam and "Cum ex Apostolatus Officio," the Syllabus of Pius IX, with so many other Papal declarations and laws, which are new to be accepted as infallible decisions and are in irreconcilable antagonism to the laws of the country. I appeal on this subject to the opinion given by the legal faculty in Munich, and am ready to abide by the arbitration of any German legal faculty which your Excellency may be pleased to name.

I only ask two conditions for the conference which I have proposed, or rather prayed for-the first, that my assertions, together with any counter assertions, shall be recorded, with a view to their subsequent publication; the second, that a man of scientific culture, to be chosen by me, shall be allowed to be

present at the conference.

Should this be unattainable before the German bishops in Fulda, I venture most respectfully to proffer another request, that it may please your Excellency to form out of the members of your Cathedral Chapter a committee, before which I may plead my cause in the way above mentioned. Several of these venerable gentlemen are doctors. and were formerly professors of theology and at the same time my former scholars. I may hope that it would be more agreeable to them to treat with me in quiet argument, to confute me, if possible, with reasons and facts, than to draw up, upon the seat of judgment, criminal sentence against me, and to submit the same to your Excellency to be fulminated, as the saying is. If your Excellency will consent to preside at this conference, and

will condescend to correct any errors | into which I may have fallen in the citation and explanation of testimonies and facts, I shall count it as a great honor, and the cause of truth can only profit thereby. And when you place before me the prospect of the exercise of your pastoral power, I may still hope that you will prefer to employ in the first place towards me the finest, most noble, most benevolent, and most Christlike attribute in this power—namely, the teacher's office. Should I be convinced by testimonials and faces, I engage myself to revoke publicly all that I have written in this matter and to confute myself. In any case the re-sults must be advantageous to the Church and the peace of spirits. Far it is not myself alone who am concerned; thousands of the clergy, bundreds of thousands of the laity think as I do, and find it impossible to accept the new articles of fuith.

Up to this day not a single one, even of those who have signed a declaration of submission, has said to me that he is really convinced of the truth of these theses. All my friends and acquaintances confirm me in this experience; "not a single person believes in is what I hear day by day from all lips, conference such as I have proposed, and the publication of the proceedings, will in any case afford that deeper insight which so

many long for. Perhaps your Excellency will refer me to the Pastoral issued recently by yourself, as a source from which I can draw sufficient instruction and correction of my opinions; but must confess that it has had exactly the opposite effect upon me, and I am ready to prove that there is there a long list of misunderstood, distorted, mutilated, and invented testimonies, which, taken together with the suppression of the most important facts and counterproofs, form a most unreal picture of the true tradition. It is certain that the person to whom your Excellency intrusted this task did not invent these falsifications, but has borrowed them in good faith from others (Cardoni, for instance), but were it his desire to defend his work at the proposed conference, he would find me ready to prove my assertion in a few hours, or, should I not succeed in doing so, to make be requested to allow a statesman, learned in historical and ecclesiastical matters, to attend

the conference. As the case is one of the highest importance for all governments, it may be assumed that this request would not be refused. There is no want of precedents in the past

history of the Church which show that my proposal is in accordance with the principles as well as with the practice of the Church. In the year 411, a conference of 286 Catholic and 279 Donatist bishops held three sessions under the presidency of the imperial officer of State, Marcellinus, and the disputed doctrine was discussed, upon which the latter decided in favor of the Catholic bishops. In the year 1433, Bohemian Calixtines appeared at the Council of Basel, and a decree which had been issued eighteen years before by the Synod of Constance, as to the Communion in one kind, was now submitted to new discussion and examination, the result being that compromise (also acknowledged by the Papal chair) which was a most important and fundamental concession to the Bohemians, and one differing widely from the older decree. A still great similarity with the transaction proposed by myself is to | upon such falsifications and never upon ron, of Evreux, and the Protestant statesman and savant, Du Plessis-Mornay, which took place in the year 1600, at Fontainebleau, under the auspices of King Henry IV. Here it was a question as to the proof that Mornay had falsified or incorrectly quoted a considerable number of authorities in his book upon the Eucharist. Henry himself presided, and the most eminent men of both Churches were present as witnesses. The conference was interrupted after a few days, and after a number of Mornay's quotations had been examined, by the illness of the latter, but caused, nevertheless, a remarkably favorable effect for the Catholic cause in the excited minds of that period.

Most venerable Archbishop, I leave entirely to your own judgment which form you will give to a conference so much desired by myself, and certainly so welcome to multi-tudes of German Catholics, and what persons you will invite to attend or oppose to me; in your diocese there is certainly no want of professional theologians who will be glad to accept your invitation. The practice of the Church proves that a question of faith is just as much an affair of the laity as of the clergy, and that the former may take part in the scientific examination and establishment of the tradition-a fact which both Popes and theologians have acknowledged. And in this case, which is a matter for historical proof, I am gladly ready to submit to the verdict of the most eminent historians of the German nation and of the Catholic faith. Such men as Ficker, Reumont, Hoffer, Arneth, Kampschulte, Cornelius, Lorenz, Wegele, Aschbach, may judge whether my proofs be critically and historically right or

Your Excellency was pleased formerly to honor my book on the "First Ages of the Church Apostolical" with your approval, and it was generally considered among German Catholics to be a true picture of the time of foundation. Even the Jesuitic-Ultramontane party let it pass without censure. But if the new decrees contain the truth, then I have laid myself open to the reproach of having entirely misrepresented the history of the Apostles. That entire section of my book which concerns the constitution of the earlier Church, my description of the relation in which Paul and the other Apostles stood to Peter-all is fundamentally wrong, and I ought to condemn my own book, and confess that I have neither understood Luke's acts of the Apostles nor their own Epistles.

The new doctrine of the Vatican invests the Pepe with entire plenary power (totain plenitudinem potestatie) over the whole Church, as well as over every single layman, priest, or bishop; a power which is to represent at the same time the truly episcopal and again the specifically Papal powerwhich is to include in itself everything concerning faith, morals, duty, discipline, which shall reach every one from the monarch to the day laborer, and can punish, com stand, and forbid him. The wording is so carefully arranged that no other position and authority remains for the bishops than that of Papal commissaries or delegates. And in this manner, as every one acquainted with Church history and with the Fathers will confess, the episcopacy of the early Church is essentially dissolved and an apostolical institution to which, according to the judgment of the fathers, the highest importance and authority in the Church is due, is subtilized to a bodiless shadow.

For no one will think it possible that there should exist two bishops in the same diocese, one of whom is at the same time Pope, the other being simply a bishop-and a Papal

vicar or diocesan commissary is not a bishop, is no successor of the apostles; he may, through the powers conceded to him from Rome, be very mighty so long as his principal allows him to rule, just in the same way as a Jesuit or mendicant friar to whom the Pope has granted abundance of privileges also pos-sesses great power; and I well know that such an extension of their powers has been held out in prespect to the bishops in Rome; that they have been told, "The more irresistible the Pope the stronger shall ye be, for the rays of the abundance of his power shall fall also on you." The bishops of the minority have penetrated the defusion of these promises they sunderstood clearly, as the "Analytical Synopsis" shows, that as soon as the universal episcopacy of the Pope should be established they might indeed continue to be dignitaries of the Church, but no longer true bishops. You yourself, venerable sir, took part in the deputation which made such urgent counter representations to the Pope on the 15th of July, 1870-representations which Bishop von Ketteler (Mayence) sought to emphasize by prostration! We know that these representations were fruitless. The sole consolation given to the bishops' mourning the loss of their ecclesisstical dignity was confined to the declaration in the decree that the Episcopal power is an "ordinary" one-(i.e., a potestas ordinaria subdelegeta, as the Romish canonists are accustomed to express it), and that the Pope considers it to be his duty to support them, this being vouched by a mutilated saying of Gregory the Great, by a passage which, if it, with others, had been quoted in its entirety, would indeed have proved to the world that this Pope of the seventh century put away from himself. with the deepest horror such a universal Epis copacy as has now been established, consider-

ing it a blasphemous usurpation, Nor has there been any lack of prayers representations, and warnings before and during the Council. You yourself, venerable sir, took part in the same by your signature. The bishops of the minority have declared in an address to the Pope, on the 12th of January, signed by yourself, that "the declarations and acts of the Fathers of the Church, the true documents of history, the Catholic educapublic apology to him. I would only ask for | tional system itself, presented the most one condition in consideration of the import-ance of the matter, viz., that the Government mation of the doctrine of infallibility." They were, as they themselves said, afraid even to discuss these difficulties, and prayed the Pope to relieve them from the necessity of such a discussion-i. e., to relinquish his infallibility. But when the Pope insisted that the Council should occupy itself therewith, the German bishops demanded on the 11th of March exhaustive conferences on the question of in-fallibility, to be conducted by deputations chosen from both sides. These were not granted, and they had to content themselves with speeches in the Aula, where any regular discussion was an impossibility.

As to the indispensability and urgent need of such conferences I would only quote hero one instance. A considerable number of Italian bishops demanded in a since-printed address that Papal infallibility should be raised to a dogma of faith, because two men. both Italians and both the pride of their ration-Thomas Aquinas and Alphousus Liguori, those shining lights of the Churchhas thus taught. Now, it was well known and proved by me, as well as by Gratry, that Thomas had been deceived by a long series of invented testimonies, as, indeed, he bases his teaching in this instance almost exclusively be found in the conference, so celebrated in genuine passages of the Fathers or Councils. sufficient writings to convince any practised theologian that his dealings with falsified passages are still worse than those of Thomas. My exposure of the fraud to which the latter had succumbed had created great sensation in Rome. The author of a pamphlet published there, and directed against myself, says that a great cry had been raised on the subject round about him. It ought, therefore, to have been indispensably necessary to examine closely into the matter. It is true that such an examination, carefully and thoroughly begun, would have led very far; it would have resulted in the proof that the theory of Papal infallibility had been in-troduced into the Church solely by a series of calculated inventions and falsifications, and had then been spread and maintained by force, by the suppression of other teaching and by the many means and artifices which are at the disposal of the ruling power.

All exertions, representations, and petitions, then, were fruitless; nothing was conceded, and yet the example of the so-often quoted Council of Florence was before their eyes, when the assertion of the Greeks, that falsified passages of the Fathers were laid before them, led to examinations and discussions lasting many months and carried on with the greatest care. It is assuredly known to your Excellency that the most careful and ripe consideration of tradi-tion has invariably been required of any true (Ecumenical Council about to issue dogmatic resolutions. How great the contrast in this respect between Trent and that which occurred in Rome in 1870! Certainly the treatise of Archbishop Cardoni, which was accepted at once by the preparatory committee, and which was to be considered by the assembled bishops as a proof, could not have supported

examination for one single hour. In the whole history of the Church I only know of one General Council in which, as in this last, those in power prevented any thorough discussion of the tradition, and this was the Second of Ephesus, in the year 449; these, in the so-called Synod of Thieves (Raubersynode), this was done by force and by tumultuous tyranny. In the Vatican Council the order of proceeding imposed on the assembly, the Papal Committee, and the will of the majority, suffered no regular and critical examination to be made. Such an examination would assuredly have brought to light many awkward and unpleasant matters, but it would have preserved the Church from a state of confusion which must appear pitiable to yourself. If you notwithstanding assert that the Vatican assembly was entirely free, you take the word "free" in a sense which theological circles do not generally attach to it. A council is only then theologically free when free examination and discussion of all objections and difficulties has taken place, when exceptions have been admitted and examined in accordance with the rules for ascertaining the tradition. That not even the most modest beginning was made in this direction-that, indeed, the immense majority of the bishops from Latin countries wanted either the will or the power to distinguish truth from falsehood, right from wrong, proved by the pamphlets which appeared in Italy and were distributed in Rome-for instance, those of the Dominican Bishop of Mondori, Ghilardi: and further, by the fact that hundreds of these bishops could without blushing rest their case upon the unassailable authority of Alphonsus Lignori.

It is well known that the Jesuits, when they had conceived the plan of establishing Papal absolutism in Church and State, in education and administration, as a dogma, invented the so-called "Sacrificio dell'intelletto," and as-

sured their adherents and disciples—yes, even | rivers of blood, has confounded and degraded persuaded many, and among them many | whole countries, has shaken the beautiful sishops-that the most beautiful act of adoration of the Almighty and the most noble Christian heroism consist in this-that man, renouncing his own spiritual light of selfgained understanding and discernment, should throw himself with blind faith into the arms of our unerring Papal magistracy, as the sole sure source of religious knowledge. And this religious order has indeed had great success in raising in the eyes of numbers intellectual indolence to the dignity of a religious sacrifice full of merit, and has even moved men, whose culture would have enabled them to enter upon a historical examination, to abandon the same. But as far as we may judge from their pastorals the German bishops have not yet descended to this point of delusion. They still concede to human knowledge, to human search and examination, a right to exist and a sphere of activity. They themselves appeal to history, as does the pastoral which has appeared under your

In a pastoral letter which has just been

sent to me Bishop Lothar von Kubel in Frei-

burg says, on page 9, "Does the Pope receive new revelations? Can he create new articles of faith? Certainly not. He can only declare that a doctrine is contained in the Holy Scriptures and in tradition; therefore, is revealed by God, and must be believed of all." I do not doubt that your Excellency and all other German bishops are fully agreed with these words. But the question is, then, in the present confused state of the Church simply a historical one, which is to be treated and decided upon according to the means in our power, and to the rules which are applicable to every historic search, to every discovery of past facts-that is to say, of such as belong to history. There are in this case no special or searct sources of which the Popes alone have the right or power to avail themselves. Both Pope and bishops must in this case necessarily, if I may use the expression, place themselves under the common law-i. e., if their resolutions are to endure they must adopt that course; must initiate that examination of witnesses with the requisite sifting and critical proof of evidence which alone, in the judgment of all men of capacity in historical matters, is able to give us truth and certainty. There were, therefore, and remain yet, two questions to be answered in accordance with this course. Firstly, is it the truth that the three sayings of Christ respecting Peter were understood from the beginning through all centuries in the whole Church in the sense which is now given to them-namely, that of an infallibility and boundless universal power granted thereby to the Popes? Secondly, is it true that the ecclesiastical tradition of all men in the writings of the fathers and the facts of history prove the general acknowledgment of this double right of the Pope ?

If these questions must be answered in the negative it is not permissible to appeal, as Bishop von Kubel and others do, to the assistance of the Holy Ghost, as promised to the Pope, and to the obedience of faith due on this account to him; for what we are to examine into historically is just whether this assistance has been promised to him. And where has this been done? Not in the Council, for there, as Cardoni's principal treatise proves, even falsifications were not shunned, and an entirely unreal picture of tradition has been given and a suppression of the most striking facts and counter testimonies. And it is precisely this which I am ready to prove.

And here I beg your Excellency to consider that the doctrine which we are no forms by its own nature, and by the declaration of the Pope himself, by the confession of all infallibilists, a fundamental article of faith-that it is a question of the regnea fidei, of the rule which must decide what is to be believed and what is not. In future every Catholic Christian could only answer the query why he believes this or that as follows: I believe or deny it because the infallible Pope has commanded me to believe or to deny it." Nor can this first principle of faith, as the Holy Scriptures necessarily should most clearly show, ever have been doubtful in the Church-it must at every date and among every people have governed the whole Church like a brightly shining starmust have been placed in the front of all instruction; and we all wait for an explanation how it is to be cleared up that only after 1830 years the Church has started the idea of making an article of faith of a doctrine which the Pope calls, in a letter addressed to your Excellency on the 28th of October, "ipsum fundamentale principium Catholicies fidei ac doctrine." How can it have been possible that the Popes should have, during centuries past, exempted whole countries, whole schools of theology, from belief in this "fundamental article of faith?" And, may I add, how is it that your Excellency yourself strove so long and so persistently against the enunciation of this dogma? Because it was not opportune, you say. But can it ever have been "inopportune" to give to believers the key of the whole temple of faith, to announce to them the fundamental article on which all the rest depend? We stand all of us giddy before a chasm which opened before us on the 18th of July last.

He who wishes to measure the immense range of these resolutions may be urgently recommended to compare thoroughly the third chapter of the decrees in Council with the fourth, and to realize for himself what a system of universal government and spiritual dictation stands here before us. It is the plenary power over the whole Church as over each separate member, such as the Poper have claimed for themselves since Gregory VII, such as is pronounced in the numerous bulls since the bull "Unam sanctam," which is from henceforth to be believed and acknowledged in his life by every Catholic. If his power is boundless, incalculable, it can, as Incosent III said, strike at sin everywhere; can punish every man, allows of no appeal, is sovereign and arbitrary, for, according to Bonifacius VIII, the Pope "carries all rights in the shrine of his bosom." As he has now become infallible he can in one moment, with one little word "orbi" (that is, that he addresses himself to the whole Church), make every thesis, every doctrine, every demand an unerring and irrefragible article of faith. Against him there can be maintained no right, no personal or corporate freedom; or, as the canonists say, the tribunal of God and that of the Pope are one and the same. This system bears its Romish origin on its forehead, and will never be able to penetrate in Germanic countries. As a Christian, as a theologian, as a historian, as a citizen, l cannot accept this doctrine. Not as a Christian; for it is irreconcilable with the spirit of the Gospel and with the plain words of Christ and of the Apostles; it purposes just that establishment of the kingdom of this world which Christ rejected; it claims that rule over all communions which Peter forbids to all and to himself. Not as a theologian; for the whole tradition of the Church is in irreconcilable opposition to it. Not as a historian can I accept it; for as such I know that the persistent endeavor to realize this theory

of a kingdom of the world has cost Europe

organic architecture of the elder Church, and has begotten, fed, and sustained the worst

abuses in the Church. Finally, as a citizen, I must put it away from me, because by the claims on the submission of States and monarchs, and of the whole political order under the Papal power, and by the exceptional position which it claims for the clergy, it lays the foundation of endless, rninous dispute between State and Church, between clergy and laity. For I cannot conceal from myself that this doc-trine, the results of which were the ruin of the old German kingdom, would, if governing the Catholic part of the German nation, at once lay the seed of incurable decay in the new kingdom which has just been built up. Accept, etc., I. VON DOLLINGER.

Munich, March 28, 1871.

Pastoral Letter of the Archbishop of Mnnich to His Archdiocese in Answer to Dr. Dollinger's Declaration Against the Infallibility of the Pope-Dr. Dollinger Placed Without the Pale of the Church. The following letter has been addressed by the Archbishop of Munich to the priests and

flock of his diocese:-Gregorius, by the grace of God and the Holy Apostolic See, Archbishop of Munich, Prelate of the Household and Councillor to His Holiness, etc., to the venerable elergy and archdiocese, salvation and blessing in the

Lord: -Dr. von Dollinger, Dean of the Chapter and Professor of Theology, addressed to us, on March 20, a declaration stating his position to the (Ecumenical Council and its resolutions, which he, at the same time, handed to the Augsburg Allgemeine Zeitung for publication. It was accordingly published in the extra supplement of said paper of March 31, This open declaration compels us, the vener able clergy and the faithful of our archdiocese, to publicly and emphatically draw attention to the principal errors contained in this deplorable document and to place its author without the pale of the Roman Catholic Church, in case he should persist in those heresies. The author demands,

First. That he should be permitted to

prove in an assembly of bishops and theolo-gists that the decrees of faith of the fourth sitting of the Œcumenical Council were neither contained in the Holy Scriptures, as understood by the fathers of the Church, nor in the writings handed down according to their true history; that the latter have, in fact, been falsified by forged or mutilated documents, and that these same documents are in flagrant contradiction with the more ancient ecclesiastical decision. But the author has overlooked that there is no question before us which is yet to be decided, and therefore carefully to be examined. The question has already been decided. General Council, legally convened, voluntarily assembled and directed by the Head of the Church, has, after careful examination, explained, formulated, and defined this article of faith. Every Catholic Christian knows at present what the Church prescribes to believe. The Church which Jesus Christ has promised to the end of the world cannot bid us believe anything else than the revelation of God Himself. Whoever, therefore, opposes the declaration of the Church opposes

him be unto thee as a heathen and a publican."-Matthew xviii, 17. Second. The author asserts that a purely historical question was here only in the case, which could solely be resolved by the same means and rules as apply to the research of any other historical fact. By this means the Church is placed under historical examination. The decisions of the Church are submitted to the judgment of the last historical writer, her divinely ordained office to instruct is set aside and all the Catholic truths placed under controversy. Let science take up the Catholic teachings of faith and examine them by all human means, and they will stand proof against all contradiction. Let the science of infidelity revolt against God and His revelation, against the Church and her decrees of faith, it will never be able to shake the rock

God. "He who will not hear the Church let

upon which the Lord has built His Church. Third. The author declares that the decrees of July 18, 1870, are in contradiction with the Constitutions of European States. but particularly with that of Bavaria; that this article of belief has wrought the ruin of the old German Empire, and would, if prevailing with the Roman Catholic portion of the German nation, plant the germs of a lingering and incurable malady into the Constitution of the new German Empire. Against this entirely erroneous theory and hateful accusation we protest with a loud voice and declare it an unfounded charge against the Catholic Church, her Head, her Bishops, and all her members, who will never cease "to render unto Casar the things that are Casar's, and unto God the things that are God's."

Dearest members of the diocese, the views and judgments alleged in this document, of which we have only pointed out to you the most notable ones, have since the convocation of the Œcumenical Council been circulated in many books and newspapers; it must be confessed with sorrow that this document has given the highest probability to the longentertained sad supposition that the author of this declaration is the spiritual head of the whole movement against the Œcumenical Council which has caused so much confusion in the minds and consciences of Christians. The equally numerous writings disproving this heresy found, slas! no ear with those circles hostile to the Church. Now, however, the open opposition of a man, who has hith erto deservedly filled high positions in the Church and State, has given the matter the aspect of a formal revolt against the Catholic

Dear brethren, we are well conscious of our duties as chief pastor of the diocese, and have, therefore, not delayed in addressing to you these grave and warning pastoral words, and in taking the now necessary measures. The further steps which we shall be obliged to take will be in no less degree governed by a single view of the dangers threatening the Church in Gormany and love for the erring brother. "We shall not break the bruised reed or quench the smoking flax."-Matthew xii, 20. We shall, however, know how to protect our dear flock from error and temptation. To the venerable priests of our archdiocese we exclaim, with Paul, "Oh, Timothy, keep that which is committed to thy trust, avoiding profane and vain babblings and oppositions of science falsely so called."—Timothy xviii, 20, 21. Pray, however, my dearest brethren, for the salvation of the author, jeopardized by that unfortunate declaration; pray for the holy Church, particularly in our dear German and Bavarian Fatherland; pray for your sorrowful pastor, who blesses you in the name of the Father, the Mon, and the Holy Ghost.

The present pastoral letter is to be communicated from the pulpit according to the wants of the faithful. †GBEGORIUS, Archbishop of Munich Munich, Easter Sunday of the year 1871.

OITY ORDINANCES.

RESOLUTION Water-pipe on Celeste, Amelia, and other streets.

Resolved, By the Select and Common Councils of the City of Philadelphia, That the Chief Engineer of the Water Department be and is hereby authorized to lay water-pipe on the

following streets: -Celeste and Amelia streets, from Seventh to Eighth street. Sixth street, from Mifflin to McKean street. Seventh street, from Moore to McKean

And Mifflin, Amelia, Hoffman, and Dudley streets, from Sixth to Seventh street, in the First ward. June street, from Seventh to Eighth street, in Terrace street, from Grape to Mechanic

Grape street, from Wood to Belair street." [5] Fleming and Belair streets, from Grape to Cotton street, in the Twenty-first ward. Union street, from Haverford avenue to Aspen

Aspen and Atlantic streets, from Thirty-fifth Thirty-sixth street, in the Twenty-fourth Chadwick and Seventeenth st cets, from Reed

to Dickerson street; and Dickerrson street, from Bancroft to Seventeenth street, in the Twenty-Carlisle street, from Monument Cemetery to Susquehanna avenue.

Norris street, from Carlisle to Broad street.
On Broad street, from Westmoreland street to Tioga street, in the Twenty-eighth

And Harvard street, between Oxford and Jefferson streets, in the Twenty-ninth ward.

HENRY HUHN, President of Common Council.

ROBERT BETHELL,
Assistant Clerk of Select Council.
SAMUEL W. CATTELL,
President of Select Council. Approved this twenty-fifth day of April, Anno Domini one thousand eight hundred and seven-

ty-one (A. D. 1871). DANIEL M. FOX, Mayor of Philadelphia.

A N ORDINANCE
To Make an Appropriation to Pay
a Bill for Advertising in 1870. Section 1. The Select and Common Councils of the City of Philadelphia do ordain. That the sum of three hundred and twelve dollars and sixty cents be and the same is hereby appropriated out of item 5 of the appropriation to the Clerks of Councils for 1871, approved December 31, 1870, to pay a bill for advertising ordinances, etc., in "The Press" in the

HENRY HUHN, President of Common Council

BENJAMIN H. HAINES, Clerk of Select Council.

SAMUEL W. CATTELL,
President of Select Council.
Approved this twenty-fifth day of April,
Anno Domini one thousand eight hundred and Anno Domini one (a. D. 1871).

DANIEL M. FOX.

Mayor of Philadelphia.

R ESOLUTION Resolved, By the Select and Common Councils of the City of Philadelphia, That the City Solicitor be and he is hereby authorized and

instructed to take all necessary proceedings to stop the erection of telegraph poles on Fifteenth street, between Chesnut and Market streets, or other streets; and also to cause the immediate removal of all those lately erected on that part of Fifteenth street. HENRY HUHN,

President of Common Council.

ROBERT BETHELL, Assistant Clerk of Select Council. SAMUEL W. CATTELL, President of Select Council. Approved this twenty-fifth day of April, Anno Domini one thousand eight hundred and

seventy-one (A. D. 1871).
DANIEL M. FOX, Mayor of Philadelphia. 4 27 1t LEGAL NOTICES.

IN THE ORPHANS COURT FOR THE CITY AND COUNTY OF PHILADELPHIA. Estate of CHRISTINE BIDDLE, deceased. The Auditor appointed by the Court to audit, settle, and adjust the account of CLEMENT BIDDLE, THOMAS A BIDDLE, and ALEXANDER BIDDLE, THOMAS A. BIDELE, and ALEXANDER BIDDLE, trustees of a sum of \$66,000, set aside under
the provisions of the will and codicils of CHRISTINE BIDDLE, deceased, and to report distribution of the balance in the hands of the accountants, will meet the parties interested for the purpose of his appointment, on WEDNESDAY, May
8, 1871, at 12 o'clock M., at his Office, No. 131 S.
FIFTH Street, in the City of Philadelphia.

GEORGE M. CONARROE,
4 20thstn5t Auditor.

IN THE COURT OF COMMON PLEAS FOR THE CITY AND COUNTY OF PHILADEL-PHIA.
In Diverce, December Term, 1869, No. 35.

ARTHUR H. WOODWARD vs. MELISSA T. WOOD-WARD. To Melissa T. Woodward, the above-named respondent:—Please take notice that a rule has been entered in the above case, returnable SATURDAY, May 6th, A. D. 1871, at 11 o'clock A. M., to show cause why a divorce a vinculo matrimonti should not

be granted. Fersonal service having failed on account of your absence.

JOHN C. BULLITT,

No. 32 S. THIRD Street, Palladelphia,
4 20 thm2w

Attorney for Libellant.

IN THE COURT OF COMMON PLEAS FOR THE CITY AND COUNTY OF PHILADELPHIA.

Dec. Term. 1869. No. 3. In Divorce.

MARGARET S. GRIEFENSTEIN vs. EDMUND

GRIEFENSTEIN.

To Edmund Griefenstein, Respondent:— Please take notice that the Court has granted a rule on you to show cause why a divorce a vinculo matrimonil should not be decreed in the above case. Returnable on SATURDAY, May 6, A. D. 1871, at 11 o'clock A. M. Personal service having falled on

nccount of your absence.

JOHN C. BULLITT,

No. 32 South THIRD Street, Philadelphia,
4 26 21

Attorney for Libellant. IN THE COURT OF COMMON PLEAS FOR THE CITY AND COUNTY OF PHILADELPHIA.

March Term, 1871. No. 14. In Divorce,
WILLIAM HENRY STREEL VS. JOSEPHINE JANE

To JOSEPHINE JANE STEEL, Respondent:-Please take notice that testimony will be taken in above entitled cause on behalf of the libeliant on

THURSDAY, May 11, 1871, at 3% o'clock P. M., at my office, No. 625 WALNUT Street, Philadelphia, Pa., before F. CARROLL BREWSTER, Jr.. Esq., the examiner appointed by the Court to take and report the same.

4 18 15t*

Attorney for Libeliant.

ESTATE OF JOHN ROMMEL, DECEASED.

Land persons indebted to this estate will make payment and those having claims against the same will present them without delay to the undersigned whom Letters Testamentary have been duly

JOHN ROMMEL, JR., J. M. ROMMEL, W. J. MANN, Philadelphia, March 28, 1871. GROCERIES, ETC.

ONDON BROWN STOUT AND

SCOTCH ALE, In glass and stone, by the cask or dozen.

ALBERT C. ROBERTS.

Corner ELEVENTH and VINE Sta. CARACAS CHOCOLATE

Dealer in Fine Groceries.

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